

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BSG RESOURCES (GUINEA) LIMITED, et al. :
Plaintiffs, : 17-CV-2726 (JFK) (OTW)
-against- : **ORDER TO SHOW CAUSE**
GEORGE SOROS, et al. :
Defendants. :
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ONA T. WANG, United States Magistrate Judge:

Almost four years ago, on September 1, 2017, Judge Peck ordered that Plaintiffs find out whether they could seek a “waiver of [LCIA] confidentiality or whatever would be the procedural way to go about this before the [LCIA] arbitration.” (ECF 97 23:21-24:2). In a letter submitted on April 14, 2021, 1,321 days after Judge Peck gave that order, Plaintiffs indicated that they have not yet “determine[d] the process necessary to apply for an exception” from the LCIA. (ECF 210 at 2).

It is HEREBY ORDERED that Plaintiffs show cause in writing by **9:00 am on April 26, 2021** why they should not be sanctioned for failure to timely comply with Judge Peck’s September 1, 2017 order.¹ Such sanction may be monetary or non-monetary, and may be awarded under Federal Rules of Civil Procedure 16 and/or 37(a)(5)(A)-(C), 28 U.S.C. § 1927, and/or the Court’s inherent power. Plaintiffs’ response shall detail all steps taken since September 1, 2017 to: (1) seek a waiver of confidentiality from the LCIA; and (2) determine the scope and volume of the

¹ Although Judge Peck’s direction did not give a deadline for compliance, allowing nearly four years to pass without compliance could not possibly be timely.

documents that would be covered by such alleged confidentiality orders, agreements, or laws.

Defendants may respond by **April 30, 2021**. Plaintiffs may reply by **May 3, 2021**.

Plaintiffs are further directed to determine, by **April 30, 2021**, the process for obtaining a waiver of confidentiality from the ICSID arbitration, and report to the Court and Defendants such findings and any steps they have taken to obtain such a waiver. Plaintiffs' report shall be filed no later than **9:00 am on May 3, 2021**.

SO ORDERED.

Dated: April 22, 2021
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge